



PATENT

Attorney Docket 051530-5004

AF 1033
DAVIS
09-18-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lyons *et al.*

Application No. 09/296,031

Filed: April 21, 1999

For: **Diagnosis & Treatment of
Neuroectodermal Tumors**)
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Group Art Unit: 1633

Examiner: Shin-Lin Chen

TECH CENTER 1600/2900

SEP 18 2001

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Commissioner for Patents
Washington, D.C. 20231**NOTICE OF APPEAL TO BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 13, 2001 of the Examiner finally rejecting claims 15-31.

The proceedings herein are for a patent application and the provisions of 37 C.F.R.

1.136(a). Applicants petition for a three month extension of time, the fee for which is **\$445.00** for a small entity as set forth in 37 C.F.R. 1.17(a)-(d). If an additional extension of time is required, please consider this a Petition therefor.

A check in the amount of **\$600.00** is enclosed for payment of the fee is enclosed (\$445.00 for three-month extension of time and \$155.00 for the Notice of Appeal fee). The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

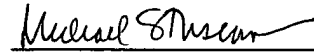
Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

09/17/2001 CNGUYEN 00000024 09296031

01 FC:219
02 FC:217155.00 OP
445.00 OP

Dated: **September 13, 2001**
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202-467-7000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



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